

FORM PTO-1390 (Modified) (REV 11-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				202306US0PCT
INTERNATIONAL APPLICATION NO. PCT/EP99/03838		INTERNATIONAL FILING DATE 02 JUNE 1999		U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/774181
TITLE OF INVENTION		PRIORITY DATE CLAIMED NONE		
USE OF DRUG-LOADED NANOPARTICLES FOR THE TREATMENT OF CANCERS				
APPLICANT(S) FOR DO/EO/US				
Bernhard A. SABEL, et al.				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
1.	<input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.			
2.	<input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.			
3.	<input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).			
4.	<input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.			
5.	<input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).			
6.	<input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).			
7.	<input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).			
8.	<input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.			
9.	<input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).			
10.	<input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).			
11.	<input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).			
12.	<input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).			
Items 13 to 20 below concern document(s) or information included:				
13.	<input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
14.	<input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
15.	<input checked="" type="checkbox"/> A FIRST preliminary amendment.			
16.	<input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.			
17.	<input type="checkbox"/> A substitute specification.			
18.	<input type="checkbox"/> A change of power of attorney and/or address letter.			
19.	<input type="checkbox"/> Certificate of Mailing by Express Mail			
20.	<input checked="" type="checkbox"/> Other items or information:			
Request for Consideration of Documents Cited in International Search Report PCT/IB/308				

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/774181	INTERNATIONAL APPLICATION NO. PCT/EP99/03838	ATTORNEY'S DOCKET NUMBER 202306US0PCT																																																
<p>21. The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; padding-bottom: 5px;"><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO</td> <td style="width: 20%; text-align: right; padding-bottom: 5px;">\$1,000.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO</td> <td style="text-align: right;">\$860.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO</td> <td style="text-align: right;">\$710.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)</td> <td style="text-align: right;">\$690.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)</td> <td style="text-align: right;">\$100.00</td> </tr> </table> <p style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT = \$860.00</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). \$130.00</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 30%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 35%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>21 - 20 =</td> <td>1</td> <td>x \$18.00 \$18.00</td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td>0</td> <td>x \$80.00 \$0.00</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims (check if applicable).</td> <td style="text-align: right;"><input type="checkbox"/> \$0.00</td> </tr> <tr> <td colspan="3" style="text-align: center;">TOTAL OF ABOVE CALCULATIONS</td> <td style="text-align: right; border-top: 1px solid black;">\$1,008.00</td> </tr> </tbody> </table> <p>Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input checked="" type="checkbox"/> \$504.00</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th colspan="2" style="width: 80%;">SUBTOTAL</th> <th style="width: 20%; text-align: right;">= \$504.00</th> </tr> </thead> <tbody> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).</td> <td style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black;">+ \$0.00</td> </tr> <tr> <td colspan="2" style="text-align: center;">TOTAL NATIONAL FEE</td> <td style="text-align: right; border-bottom: 1px solid black;">\$504.00</td> </tr> </tbody> </table> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/> \$0.00</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th colspan="2" style="width: 80%;">TOTAL FEES ENCLOSED</th> <th style="width: 20%; text-align: right;">= \$504.00</th> </tr> </thead> <tbody> <tr> <td colspan="2"></td> <td style="text-align: right; border-top: 1px solid black; border-bottom: 1px solid black;">Amount to be: refunded \$</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: right; border-bottom: 1px solid black;">charged \$</td> </tr> </tbody> </table> <p><input checked="" type="checkbox"/> A check in the amount of \$504.00 to cover the above fees is enclosed.</p> <p><input type="checkbox"/> Please charge my Deposit Account No. in the amount of to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 15-0030 A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="border: 1px solid black; padding: 10px; text-align: center;">  22850 Surinder Sachar Registration No. 34,423 </div> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>(703) 413-3000</p> <p style="text-align: right;"><i>Surinder Sachar</i></p> <p style="text-align: right;">SIGNATURE</p> <p>NAME Norman F. Oblon</p> <p>24,618</p> <p>REGISTRATION NUMBER</p> <p style="text-align: right;">DATE 2-2-01</p> </div>			<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1,000.00	<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$860.00	<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$710.00	<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$690.00	<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	21 - 20 =	1	x \$18.00 \$18.00	Independent claims	2 - 3 =	0	x \$80.00 \$0.00	Multiple Dependent Claims (check if applicable).			<input type="checkbox"/> \$0.00	TOTAL OF ABOVE CALCULATIONS			\$1,008.00	SUBTOTAL		= \$504.00	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).		+ \$0.00	TOTAL NATIONAL FEE		\$504.00	TOTAL FEES ENCLOSED		= \$504.00			Amount to be: refunded \$			charged \$
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DOCKET NO: 202306US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Bernhard A. SABEL, et al.

SERIAL NO: NEW U.S. PCT APPLICATION :
(Based on PCT/EP99/03838)

FILED: HEREWITH :

FOR: USE OF DRUG-LOADED
NANOPARTICLES FOR THE
TREATMENT OF CANCERS

LETTER REGARDING CLAIM TO SMALL ENTITY STATUS

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) hereby give notice that Small Entity Status is claimed in the above-identified application.

Our check in the amount of \$504.00 - is attached hereto. If any variance exists between the amount enclosed, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



22850

*Norman F. Oblon
Surinder Sachar*
Norman F. Oblon
Attorney of Record
Registration No. 24,618
Surinder Sachar
Registration No. 34,423

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Bernhard A. SABEL, et al.

SERIAL NUMBER: NEW U.S. PCT APPLICATION (based on PCT/EP99/03838)

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CANCERS

**REQUEST FOR CONSIDERATION OF DOCUMENTS
CITED IN INTERNATIONAL SEARCH REPORT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney of Record
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(OSMMN 1/97)